



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
FREEDOM OF INFORMATION ACT BRANCH
Washington, D.C. 20570

Via email

December 22, 2022

Re: FOIA Request NLRB-2023-000358

Dear Mr. Dan Bauman (Chronicle of Higher Education):

This is in response to your request, under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, received on November 18, 2022, in which you seek all records associated with *Saint Leo University*, Case Nos.: 12-CA-275643, 12-CA-275612, 12-CA-275617, 12-CA-284360, 12-CA-275639, 12-CA-275640, 12-CA-275641, 12-CA-275642, 12-CA-275644, and 12-CA-275645. You assumed financial responsibility for the processing of your request in the amount of \$37.00. You also requested a fee waiver.

We acknowledged your request on November 18, 2022. In a December 2, 2022 telephone conversation with two members of the FOIA staff, you agreed to narrow your request to only the formal documents (excluding any transcripts or exhibits) in *Saint Leo University*, Case Nos.: 12-CA-275643, 12-CA-275612, 12-CA-275617, 12-CA-284360, 12-CA-275639, 12-CA-275640, 12-CA-275641, 12-CA-275642, 12-CA-275644, and 12-CA-275645.

A search of the Agency's electronic casehandling system, NxGen, has been conducted. This search has located 268 pages of responsive, releasable records from the requested case files, which are attached.

After a review, I have determined that portions of the attached records are exempt from disclosure under Exemptions 6 and 7(C) of the FOIA (5 U.S.C. § 552(b)(6) and (b)(7)(C)). Specifically, redactions have been made to protect the privacy interests of an individual named in the records. These redactions were made pursuant to FOIA Exemption 6, which protects personally identifiable information, the release of which would constitute a clearly unwarranted invasion of personal privacy and FOIA Exemption 7(C), which protects records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. 5 U.S.C. § 552(b)(6) and (b)(7)(C).

Please note that additional records responsive to your request for one case are available for download from the Agency's case page:

- <https://www.nlr.gov/case/12-CA-275612>
- <https://www.nlr.gov/case/12-CA-275617>
- <https://www.nlr.gov/case/12-CA-275639>
- <https://www.nlr.gov/case/12-CA-275640>
- <https://www.nlr.gov/case/12-CA-275641>
- <https://www.nlr.gov/case/12-CA-275642>
- <https://www.nlr.gov/case/12-CA-275644>
- <https://www.nlr.gov/case/12-CA-275645>
- <https://www.nlr.gov/case/12-CA-284360>

Because these records are publicly available, I have not included them in this release.

For the purpose of assessing fees, we have placed you in Category C, as a representative of the news media, in that you qualify as a person “actively gathering news for an entity that is organized and operated to publish or broadcast news to the public.” NLRB Rules and Regulations, 29 C.F.R. § 102.117(d)(1)(vii). Accordingly, there is no charge assessed for this request, and your request for a fee waiver is moot.

You may contact Brenna Schertz, the FOIA Attorney-Advisor, who processed your request, at (202) 273-0064 or by email at Brenna.Schertz@nlrb.gov, as well as the Agency’s FOIA Public Liaison, for any further assistance and/or to discuss any aspect of your request. The FOIA Public Liaison, in addition to the FOIA Attorney-Advisor, can further explain responsive and releasable agency records, suggest agency offices that may have responsive records, and/or discuss how to narrow the scope of a request in order to minimize fees and processing times. The contact information for the Agency’s FOIA Public Liaison is:

Kristine M. Minami
FOIA Public Liaison
National Labor Relations Board
1015 Half Street, S.E., 4th Floor
Washington, D.C. 20570
Email: FOIAPublicLiaison@nlrb.gov
Telephone: (202) 273-0902
Fax: (202) 273-FOIA (3642)

After first contacting the Agency, you may additionally contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration

8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
Email: ogis@nara.gov
Telephone: (202) 741-5770
Toll free: (877) 684-6448
Fax: (202) 741-5769

You may obtain a review of this determination under the NLRB Rules and Regulations, 29 C.F.R. § 102.117(c)(2)(v), by filing an administrative appeal with the Division of Legal Counsel (DLC) through FOIAonline at: <https://foiaonline.gov/foiaonline/action/public/home> or by mail or email at:

Nancy E. Kessler Platt
Chief FOIA Officer
National Labor Relations Board
1015 Half Street, S.E., 4th Floor
Washington, D.C. 20570
Email: DLCFOIAAppeal@nrlrb.gov

Any appeal must be postmarked or electronically submitted within 90 calendar days of the date of this letter. Any appeal should contain a complete statement of the reasons upon which it is based.

Please be advised that contacting any Agency official (including the FOIA Attorney-Advisor, FOIA Officer, or the FOIA Public Liaison) and/or OGIS does not stop the 90-day appeal clock and is not an alternative or substitute for filing an administrative appeal.

Sincerely,

/s/ Synta E. Keeling

Synta E. Keeling
FOIA Officer

Attachment: (268 pages)